

V. A. R. asks the Utah Labor Commission to review Administrative Law Judge Marlowe's decision regarding Mr. R.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Annotated).

The Labor Commission exercises jurisdiction over this motion for review pursuant to Utah Code Annotated §63-46b-12 and §34A-2-801(3).

### **BACKGROUND AND ISSUE PRESENTED**

On July 13, 2005, Mr. R. filed an application to compel Granite Furniture Company, Inc. and its insurance carrier, Wausau Underwriters Insurance (referred to jointly as "Granite" hereafter), to pay workers' compensation benefits for a back injury Mr. R. allegedly suffered while working for Granite on September 18, 2004. Judge Marlowe held a hearing on Mr. R.'s application on February 9, 2006, and then, on February 21, 2006, issued a decision denying Mr. R.'s claim on the grounds Mr. R. had failed to prove that his work accident at Granite was the medical cause of his injury.

Mr. R. filed a letter with Judge Marlowe on March 17, 2006, in which he asks for a new hearing and additional time to obtain medical evidence to support his claim.

### **DISCUSSION AND CONCLUSION OF LAW**

Although Mr. R. requests a new hearing and additional time to obtain supporting medical evidence, the Commission notes that Mr. R. has previously been examined by at least two physicians. Neither of these physicians expresses the opinion that Mr. R.'s work accident at Granite on September 18, 2004, caused his current problems. Furthermore, Judge Marlowe has already conducted a formal evidentiary hearing on Mr. R.'s claim. Under these circumstances, the Commission sees no basis for conducting additional proceedings in this matter.

### **ORDER**

The Commission affirms Judge Marlowe's decision and denies Mr. R.'s motion for review. It is so ordered.

Dated this 14<sup>th</sup> day of April, 2006.

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R. Lee Ellertson  
Utah Labor Commissioner